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FACSIMILE TRANSMISSION

DATE: 11/27/00FROM: Laura A. Majerus

TO: Ex. Derek Woods
COMPANY: Patent & Trademark Office
RE: 22120-4764
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TELEPHONE: _____
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MESSAGE:

Attached is a Declaration of
Facts for 09/502,120

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PLEASE CALL L. Majerus AT 650.494.0600, EXT. 8152

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PATENT

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

APPLICANTS: Dan Meisburger, Alan D. Brodie, Zhong-Wei Chen, Jack Y. Jau,
Paul Sandland, Richard Simmons, Dave E. A. Smith, Hans Dohse,
Dennis G. Emge, John Greene, Lee Veneklasen, Ming-Yie Ling,
Surendra G. Lele, Tom Cass, Doug Hendricks, John Gibilisco

PATENT NO.: 5,717,204

ISSUED: February 10, 1998

TITLE: Inspecting Optical Masks With Electron Beam Microscopy

SERIAL NO.: 09/502,120

FILING DATE: February 10, 2000

ATTY. DKT. NO.: 4764

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CERTIFICATE OF FACSIMILE TRANSMISSION			
I hereby certify that this correspondence, including the enclosures identified above, is being transmitted on the date shown below via facsimile to Commissioner for Patents at the facsimile number indicated below.			
Signature:	<i>Laura Majerus</i>		
Typed or Printed Name:	Laura A. Majerus	Dated:	11/27/00
Facsimile Number:	1-703-308-6916 (Derek Woods)		

COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

DECLARATION OF FACTS BY PERSON HAVING FIRST HAND KNOWLEDGE

IN SUPPORT OF FILING ON BEHALF OF

AN OMITTED INVENTOR UNDER 37 C.F.R. SECTION 1.47(a)

Dear Sir:

This Declaration of Facts is made as to the facts that are relied upon to establish diligent effort to secure the execution of the REISSUE APPLICATION DECLARATION BY THE INVENTOR by the omitted inventor, Dan Meisburger (hereinafter "Mr. Meisburger"), for the above-referenced patent application after deposit in the U.S. Patent and Trademark Office.

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This Declaration of Facts is being made by an available person having first-hand knowledge of the facts recited therein.

I, Laura A. Majerus, being employed by Fenwick & West LLP and having a business address at Two Palo Alto Square, Palo Alto, California 94306, hereby declare that:

1. I am a patent attorney licensed to practice before the U.S. Patent and Trademark Office.
2. It is my information and belief that Dan Meisburger is a joint inventor of the subject-matter claimed in the above-referenced reissue application.
3. It is my information and belief that Mr. Meisburger's last known home address was 1507 Montalbar Drive, San Jose, California, 95120-4830.
4. On February 10, 2000, the above-referenced reissue application, including a specification with drawings and claims and an abstract, was filed in the U.S. Patent and Trademark Office.
5. On April 3, 2000, a NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION was mailed for the above-referenced reissue application.
6. On June 8, 2000, I mailed via a Federal Express package (with Label No. 654 8369 5649) to Mr. Meisburger at his last known home address copies of the above-referenced reissue application and a cover letter requesting Mr. Meisburger to review the reissue application and to determine whether the application names the correct inventors for the claimed invention.
(Exhibit A)

I hereby declare that all statements made herein to the best of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made

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are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Dated: 11/27/00

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